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I hereby certify that this correspondence is being transmitted by facsimile to the United States Patent and Trademark Office at telephone number (703) 872-9306 on December 1, 2004.

Respectfully submitted,

By: Byron S. Kuzara
Registration Number 51,255
Banner & Witcoff, Ltd.

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

<i>In re</i> Application of)	
)	Group Art Unit: 3728
James MESCHTER)	
)	Examiner: Kavanaugh, J.
Serial Number 10/609,010)	
)	Attorney Reference 005127.00302
Filed: June 30, 2003)	
)	
For: ARTICLE AND METHOD FOR LASER-)	
ETCHING STRATIFIED MATERIALS)	

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
Alexandria, VA 22313

Sir:

In response to the Restriction Requirement of November 4, 2004, the Applicant elects Species II, which includes various claims directed to methods of manufacturing footwear, and submits that each of claims 12-44 are included in the elected species. This Response to Restriction Requirement is being filed with a Preliminary Amendment, in which independent claim 30 is amended to recite a method for manufacturing an article of footwear. This election is made without traverse.

The Applicant reserves the right to file a divisional application regarding the subject matter of the non-elected claims.

This Response To Restriction Requirement is being timely filed by virtue of its facsimile transmission on December 1, 2004. Should additional fees or an extension of time be deemed necessary for consideration of this Response To Restriction Requirement, such fees or extension are hereby requested and the Commissioner is authorized to charge deposit account number 19-0733 for the payment of the requisite fee. The Applicant respectfully awaits examination on the merits.

Respectfully submitted,

By: 
Byron S. Kuzara
Registration No. 51,255

Banner & Witcoff, Ltd.
1001 G Street, N.W.
Washington, D.C. 20001-4597
Telephone: (202) 824-3000

Dated: December 1, 2004